

Application Serial No. 09/509,649
Reply to Office Action of May 26, 2005

PATENT
Docket: CU-2137

REMARKS

In the Office Action, dated May 26, 2005, the Examiner states that Claims 19-26, 28 and 30-36 are pending, and Claims 19-26, 28 and 30-36 are rejected. By the present Amendment, Applicant amends the claims.

In the Office Action, Claims 19-23, 26, 28, 30-32, 35 and 36 are rejected under 35 USC §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make/use the invention. The Applicant has amended the claims to remove the non-enabling language. Claim 19 is also objected to with regard to the term "limited number" which is deemed to be indefinite. The Applicant has amended Claim 19 to remove this term.

In the Office Action, Claims 19-26, 28, and 30-36 are rejected under 35 USC §103(a) as being unpatentable over Lee (US 5,825,547) in view of newly cited Modegi (US 5,784,200) and Solmsdorf (US 5,808,758). The applicant has amended independent Claims 19 and 33 to include the limitations of previous Claim 20 in which each grey scale region has one or more graphic elements, line art or text images represented in microscopic size. Independent Claim 24 previously included this limitation. The Applicant considers that the rejections are overcome by the limitation of Claim 20 being included within the independent claims.

In the Office Action, the rejection relies upon the Applicant's prior patent, Lee, as disclosing the limitation in previous Claim 20. The Applicant respectfully disagrees with this assertion. Lee discloses at column 7, lines 39-45 that the diffracting tracks may contain diffusely reflecting regions that may be used to encode auxiliary information. There is no teaching at this portion of the patent of exactly what the auxiliary information consists of. Further reading of the Lee at Column 8, lines 15-33 teaches that optional flat regions 9 that surround diffractive image generating island regions 8 may include micro-writing 13. Overall, Lee teaches microscopic diffuse regions to enhance or contrast a microscopic diffracted image. Lee does not disclose the claimed features of a plurality of grey scale regions together generating a macroscopic graphic, line art or text image, and each grey scale region having one or more graphic elements, line art or text images represented in microscopic size. In other words, although Lee discloses the use of microscopic text images, there is no disclosure of those microscopic text images being used to

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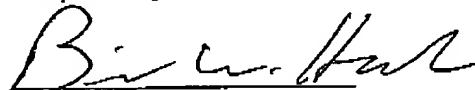
generate a macroscopic graphic element, line art or text image. The microscopic text images in Lee are simply used to encode auxiliary information at a microscopic level without having varying levels of diffuse scattering between separate regions and combining with other regions to generate a macroscopic image, as is claimed.

The Applicant considers that since there is no disclosure, teaching or suggestion in Lee to use the microscopic text images therein to create a macroscopic image, but rather just to contrast a diffractive image, that there would be no motivation or suggestion to combine the use of microscopic text images with the teachings of Modegi and Solmsdorf to create macroscopic images, as is claimed.

Modegi teaches varying the intensity of a grey scale region. Solmsdorf teaches generating a macroscopic image using diffuse regions. Neither discloses the use of microscopic graphic elements, line art or text image. The Applicant contends that a combination of the cited references would not result in the claimed invention in which each grey scale region has graphic elements, line art or text images, the grey scale regions combining to generate a macroscopic image.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,



November 25, 2005

Date

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